

REMARKS

Claims 1-12 have been withdrawn from consideration for which applicant reserves the right to file one or more divisional applications. Claims 13-19 pending in this application stand rejected under 35 U.S.C. §102(e) as being anticipated by Olivier (U.S. Patent No. 6,480,885). In response, applicant amended independent claims 13, 18, and 19 in a good faith effort to further clarify the claimed invention as distinguished from the applied reference. Support for amended claims 13, 18, and 19 can be found in Figs. 3, 4, 5A – 5C, 6A and 6B, and the corresponding description in the specification. Applicant also amended claim 15 for clarification. No new matter has been added.

As amended, independent claim 13 recites, in part,

“extracting predetermined information associated with a user’s trait from input information and identifying user’s information indicating the user’s trait based on the predetermined information extracted, said input information being arbitrary information transmitted and received between a first user and a second user via the network, ...

forming an object corresponding to the trait indicated by the user’s information identified...” Independent claims 18 and 19 have been amended to include similar limitations.

Olivier discloses a method for users to exchange group electronic mail based on user profile data including mail acceptance criteria (see, e.g., abstract of Olivier). The user is able to actively enter profile data, for example, using a web interface (see, e.g., column 5, lines 23 – 26 and Fig. 2 of Olivier).

Therefore, the active profile data entry method in Olivier, relied upon by the Examiner, does not disclose "extracting predetermined information associated with a user's trait from input information and identifying user's information indicating the user's trait based on the predetermined information extracted, said input information being arbitrary information transmitted and received between a first user and a second user via the network," as recited in claim 13. The claimed invention is advantageous in that it provides for extracting a user's profile without requiring the user to actively provide profile data.

Accordingly, it is respectfully submitted that claim 13, together with claims 14-17 dependent therefrom, are patentable over Olivier. Independent claims 18 and 19 include limitations similar to those from claim 13 discussed above and are, therefore, patentable over Olivier for at least the same reasons.


Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

The Examiner has made of record, but not applied, several U.S. patents and a German patent publication. Applicant appreciates the Examiner's implicit finding that these references, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

It is respectfully submitted that the present claims are in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of a Notice of Allowance are respectfully requested.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted


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